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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/505,431

08/24/2004

Katsutoshi Moriyama

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23353 7590 08/23/2006

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EXAMINER

ELAND, SHAWN

ART UNIT

PAPER NUMBER

2192

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/505,431

Applicant(s)

MORIYAMA ET AL.

Examiner

Shawn Eland

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>08/24/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The information disclosure statement filed August 24, 2004 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

According to the International Search Report, applicant's cited prior art (JP 59-135698, JP 7-65586, JP 9-63286) are referred to as "X" documents, which appear to be relevant to claims 1 – 7 (see page 2, section C.). However, the relationship between the cited art and the claims is not evident by the English language abstracts provided, therefore the Abstracts are insufficient to meet the requirements of 37 C.F.R. 1.98. They have not been considered. In view of the fact that the International Search Report is only in Japanese, and not in English, it has not been considered either.

Specification Objections

The disclosure is objected to because of the following informalities:

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following appear to be incorrect:

Compare "write signal 6s" (see page 9, lines 7 & 13) and "write signal 7s" (see page 9, line 17).

Compare "row decoder 11" (see page 15, lines 21 – 22) and "row decoder 13" page 15, line 3).

Compare "existing data signal 30s" (see page 20, line 16 and page 21, line 9) and "existing data signal 30s" (see page 20, line 21).

Compare "existing data" (see page 24, line 15; see page 27, lines 7 – 8; see page 28, lines 20 – 21) and "existing data" (see page 24, line 2).

The abstract of the disclosure is objected to because it is not a single paragraph. Correction is required. See MPEP § 608.01(b).

Appropriate correction required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is not clear which signal is "in accordance" in the comparison section (see lines 8 – 9). For the purposes of this Office Action, it will be assumed that either control signal, readout control signal or write control signal, could be.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Searby et al. (US 5,412,402).

In regards to claim 1, Searby teaches a comparison section for reading out existing data stored in a storage element to compare said existing data and new data with each other prior to writing of said new data to said storage element (see element 4), and configuring so that, in said comparison section, in a case where said exiting data and said new data are identical with each other, the writing to said storage element is not performed, and in a case where said existing data and said new data are not identical with each other, said new data is written to said storage element (see column 7, lines 34 – 38).

For claim 2, Searby teaches a control signal generating section for generating a readout control signal for performing readout control of said existing data and a write control signal for performing write control of said new data (see element 4), and by configuring so that said existing data and said new data are compared with each other in said comparison section in accordance with a control signal from said control signal generating section (see column 8, lines 13 – 17).

In regards to claim 3, Searby teaches performing a readout process of existing data stored in a storage element prior to performing a write process of new data to said storage element to compare said existing data and said new data with each other (see control signal I), so as not to perform the write process to said storage element, in a case where said exiting data and said new data are identical with each other, and so as to perform the write process of said new data to said storage element in a case where said existing data and said new data are not identical with each other (see column 7, lines 34 – 38).

For claim 4, Searby teaches a readout control signal (see control signal I) and a write control signal (see middle control signal on the left side of element 4) in accordance with a write signal input (see element 7) to said data storage circuit; reading out said existing data in accordance with said readout control signal (see column 6, lines 3 – 4); and comparing said existing data with said new data in accordance with said write control signal (see column 7, lines 34 – 38).

In regards to claim 5, Searby teaches a comparison section for reading out existing data stored in a storage element to compare said existing data and new data with each other prior to writing of said new data to said storage element (see element 4), and configuring so that, in said comparison section, in a case where said exiting data and said new data are identical with each other, the writing to said storage element is not performed, and in a case where said existing data and said new data are not identical with each other, the writing of said new data to said storage element is performed (see column 7, lines 34 – 38).

For claim 6, Searby teaches a control signal generating section (see element 4, it is both the comparison section and signal generating section) for generating a readout control signal for performing readout control of said existing data and a write control signal for performing write control of said new data, and by configuring so that said existing data and said new data are compared with each other in said comparison section in accordance with a control signal from said control signal generating section (see column 7, lines 34 – 38).

For claim 7, Searby teaches the comparison section is provided with a new data retention section for temporarily retaining the new data (see element 14); an existing data retention section for temporarily retaining the existing data (see element 3); and a write enable signal generating section for comparing the new data retained in the new data retention section and the exiting data retained in the existing data retention section with each other to control an output of the write enable signal (see element 4), the new data is temporarily retained in the new data retention section while the existing data is temporarily retained in the exiting data retention section in accordance with the readout control signal output from the control signal generating section, and the new data retained in the new data retention section and the existing data retained in the existing data retention section are compared with each other in accordance with the write control signal output from the control signal generating section (see column 7, lines 34 – 38; see column 8, lines 13 – 17).

Examiner Information

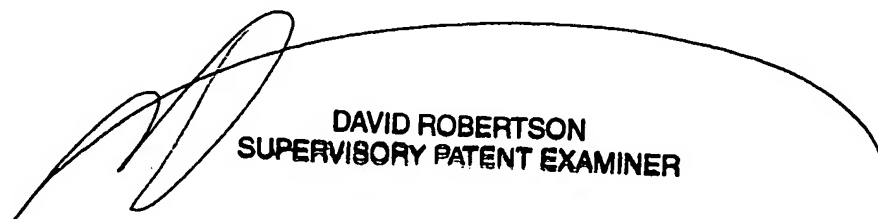
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn Eland whose telephone number is (571) 270-1029. The examiner can normally be reached on Monday - Thursday from 7:30am to 5:00pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Robertson, can be reached on (571) 272-4186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Shawn Eland
08/16/2006



DAVID ROBERTSON
SUPERVISORY PATENT EXAMINER